

2009 DRAFTING REQUEST

Senate Substitute Amendment (SSA-AB496)

Received: 04/09/2010

Received By: emueller

Wanted: Soon

Companion to LRB:

For: Joseph Leibham (608) 266-2056

By/Representing: Cullen Werwie

May Contact:

Drafter: emueller

Subject: Transportation - traffic laws

Addl. Drafters:

Extra Copies: ARG

Submit via email: YES

Requester's email: Sen.Leibham@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Remove specific text messaging ban, increase penalties for inattentive driving.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	emueller 04/12/2010	jdye 04/12/2010	phenry 04/12/2010	_____	cduerst 04/12/2010	cduerst 04/12/2010	
/2	emueller 04/13/2010	bkraft 04/13/2010	rschluet 04/13/2010	_____	mbarman 04/13/2010	mbarman 04/13/2010	

FE Sent For:

<END>

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/2 *EM*
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JF

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1?	emueller	1 4/12 jd	4/12 ph	4/12			
1	sum 4/12/10			4/12 ph			
FE Sent For:							
<END>							

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

4/a Cullen & Leibham

- Sub amend to AB496
- remove texting ban
- increase penalties for inattentive driving by \$100
- needs initial app.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0426/1

EVM: A:...

jld
RMR

SENATE SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 496

In 4/12/10

Today

gen

✓
1 AN ACT ...; relating to: penalty for inattentive driving and providing a penalty.✓

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving of a motor vehicle, which means that a driver of a motor vehicle may not be so engaged or occupied as to interfere with the safe driving of the vehicle.✓ Any person convicted of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.✓

This substitute amendment increases the maximum forfeiture for inattentive driving to \$500.✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 346.95 (2)✓ of the statutes is amended to read:

3 346.95 (2) Any person violating s. 346.89 (1)✓ or 346.94 (2), (4) or (7) may be

4 required to forfeit not less than \$20 nor more than \$400.

History: 1971 c. 278; 1973 c. 182, 314, 336; 1975 c. 297, 320; 1977 c. 68; 1983 a. 56, 175, 538; 1989 a. 335 s. 89; 1991 a. 83; 1993 a. 260, 455; 1995 a. 194, 373, 420; 1999 a. 109; 2001 a. 90; 2003 a. 192, 297, 327; 2005 a. 250; 2009 a. 22, 57.

5 SECTION 2. 346.95 (11) of the statutes is created to read:

346.95 (11) Any person violating s. 346.89 (1) may be required to forfeit not less than \$20 nor more than \$500.

SECTION 3. Initial applicability.

(1) This act first applies to violations that occur on the effective date of this subsection. ✓

(END)

Mueller, Eric

From: Gary, Aaron
Sent: Monday, April 12, 2010 4:40 PM
To: Mueller, Eric
Subject: Change to LRBs0426

Eric,

I got a call from Greg Gasper in Sen. Leibham's office. They need a change to their sub. They want the new penalty to match what is in SB-496. That is, in section 2 of LRBs0426, they would like the penalty to be \$100-400 for 1st offense and 200 to 800 for 2nd or subseq. offense (like in AB-496).

Let me know if you have any questions. I asked them to send the jacket back. And of course it is for this morning.

Aaron

- AA 7 to ASD 1 changed penalties in AB 496 to
≤ \$400 for first, \$200-800 2nd & subsequent
(+\$100)
- Keep the minimum in ASD 1 as introduced



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0426
EVM:jld:ph

12
stays

RMR

SENATE SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 496

11 4/13/10

SA

Now

regen.

- 1 AN ACT *to amend* 346.95 (2); and *to create* 346.95 (11) of the statutes; relating
2 to: penalty for inattentive driving and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving of a motor vehicle, which means that a driver of a motor vehicle may not be so engaged or occupied as to interfere with the safe driving of the vehicle. Any person convicted of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.

This substitute amendment ~~increases~~ the ~~maximum forfeiture~~ for inattentive driving to ~~\$500~~ *not less than \$100 nor more than \$400 for the first offense* *and not less than \$200 nor more than \$800 for the 2nd or subsequent conviction*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 346.95 (2) of the statutes is amended to read:
4 346.95 (2) Any person violating s. 346.89 (1) or 346.94 (2), (4) or (7) may be
5 required to forfeit not less than \$20 nor more than \$400.
6 SECTION 2. 346.95 (11) of the statutes is created to read:

346.95 (11) Any person violating s. 346.89 (1) may be required to forfeit not less
than ~~\$20~~^{\$100} nor more than ~~\$500~~<sup>\$400 for the first offense and not less than
\$200 nor more than \$800 for the 2nd or</sup>

SECTION 3. Initial applicability. Subsequent conviction

(1) This act first applies to violations that occur on the effective date of this
subsection.

(END)